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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,163	06/05/2001	Chung-Che Wu	JCLA7083	5881

7590

09/14/2004

J.C. PATENTS INC.
4 VENTURE, SUITE 250
IRVINE, CA 92618

EXAMINER

KIM, HONG CHONG

ART UNIT

PAPER NUMBER

2186

DATE MAILED: 09/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,163

Applicant(s)

WU ET AL.

Examiner

Hong C Kim

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-10 and 13 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

1. Claims 2-13 are presented for examination. This office action is in response to the amendment filed on 8/23/04.

Information Disclosure Statement

2. Applicants are reminded of the duty to disclose information under 37 CFR 1.56.

Claim Rejections - 35 USC ' 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton et al. (Hamilton) U.S. Patent No. 6,516,381 in view of Applicant's Admitted Prior Art (AAPA) page2.

As to claims 2-3, Hamilton discloses a motherboard (Figs. 1 and 2) to automatically determine a type of a memory, used in a computer system that has a system power state signal, the motherboard comprising: outputting a preset voltage to the memory (col. 3 lines 18-26, initial power to read data reads on this limitation); performing an operation on the memory (col. 3 lines 218-22); determine a type of the memory (Fig. 1 Ref. 7 and col.1 lines 53-55 and); outputting a control signal (Fig. 1

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Ref. 9) ; outputting a voltage adjustment signal (Fig. 1 Refs. 9 and 10); outputting a configured operation voltage (Fig. 1 Ref. 10), however, Hamilton does not specifically disclose STD and STR modes. AAPA discloses STD and STR modes (page 2 lines 6-11) for the purpose of providing power saving modes thereby consuming less power and generating less heat in the system.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate STD and STR modes as shown in AAPA into the invention of Hamilton because it would provide power saving modes thereby consuming less power and generating less heat in the system.

As to claim 4, Hamilton further discloses a processor executes a software program to perform the operation on the memory, to determine the type of the memory, and to output the control signal (Fig. 1).

As to claim 5, Hamilton further discloses performing the operation on the memory with the software program, which software program then determines the type of the memory when the computer system enters a reset state (Fig. 1).

As to claim 6, Hamilton further discloses a hardware device performs the operation on the memory, determines the type of the memory, and outputs the control signal (Fig. 1).

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As to claim 7, Hamilton further discloses the operation comprises an access operation (Fig. 1 Ref. 7).

As to claim 8, Hamilton discloses the invention as claimed. Hamilton discloses a motherboard (Figs. 1 and 2) to automatically determine a type of a memory, used in a computer system that has a system power state signal, the motherboard comprising: a hardware device (Fig. 1), generating a control signal (Fig 1 Ref. 7, 9, and 10); a memory module slot, accommodating a memory (Fig. 1 Ref. 2); a voltage control circuit (Fig. 1 Ref. 6), coupled to the memory module slot to provide a configured operation voltage to the memory module slot (Fig. 1 Refs 9 and 10); and a recognition apparatus (Fig. 1 Ref. 1), coupled to the system power state signal, the control signal and the voltage control circuit ; wherein the voltage control circuit firstly outputs a preset voltage to the memory (col. 3 lines 18-26, initial power to read data reads on this limitation) and then the hardware device outputs the control signal after performing an operation to determine a type of the memory (Fig. 1 Ref 7); and the recognition apparatus outputs a voltage adjustment signal after receiving the control signal (Fig. 1 Refs. 9 and 10) and the system power state signal, so that the voltage control circuit outputs the configured operation voltage to the memory (Fig. 1 Ref. 10).

As to claim 9, Hamilton further discloses the hardware device comprises a central process unit executing a software program to generate the control signal (Fig. 2 Ref. 21).

As to claim 10, Hamilton further discloses the voltage adjustment signal is configured as a high logic state when the system power state signal is a low logic state; the voltage adjustment signal is configured as a low logic state when the control signal to be converted from the low logic state to the high logic state and the system power state signal is the high logic state; and the voltage adjustment signal otherwise remains a previous logic state (col. 3).

As to claim 13, Hamilton further discloses the operation comprises an access operation (Fig. 1 Ref. 7).

Response to Arguments

4. Applicant's arguments with respect to claims 2-10 and 13 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

5. Claims 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to

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applicant's disclosure. See attached PTO-892.

7. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 USC 133, MPEP 710.02, 710.02(b)).

8. When responding to the office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R. ' 1.111(c).

9. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong C Kim whose telephone number is 703-305-3835. The examiner can normally be reached on M-F 9:00 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt M Kim can be reached on (703) 305-3821. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

12. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to TC-2100:
(703) 872-9306

HK 
Primary Patent Examiner
September 12, 2004